

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LESTER EUGENE SILER, et al.,

Plaintiffs,

v.

GERALD DAVID WEBBER, et al.,

Defendants.

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No. 3:10-cv-334
Phillips/Guyton

RESPONSE TO DEFENDANTS' MOTION TO DISMISS

Come the Plaintiffs, by and through counsel, pursuant to Fed. R. Civ. P. 12(e) and 12 (f), and respectfully move this Honorable Court to require Defendant, Samuel Reed Franklin, and Defendant, Gerald David Webber, to provide a more definite statement so that Plaintiffs may respond to their motions to dismiss. Plaintiffs would show that both pleadings filed by the Defendants are so vague and ambiguous that Plaintiffs are unable to prepare a response. Further, Plaintiffs would show that the Defendants have provided an insufficient defense in their motions.

Specifically, with regards to Defendant, Gerald David Webber's motion to dismiss, Defendant merely states that he requests a dismissal. Defendant provides no basis or defense for requesting said dismissal, and therefore, Plaintiffs would ask that Defendant's motion to dismiss be stricken, or alternatively, that Defendant be required to provide a more definite statement so that an appropriate response can be provided.

Similarly, Samuel Reed Franklin's, motion to dismiss is vague and ambiguous, and the Plaintiffs respectfully request that he be required to provide a more definite statement so that Plaintiffs can provide a response.

Respectfully submitted this _____ day of April, 2012.

LESTER EUGENE SILER, et al.,

BY: /s/Kristie Anderson
KRISTIE N. ANDERSON #021840
523 Main Street
P.O. Box 196
Jacksboro, Tennessee 37757
(423)566-9092
knandersonlaw@yahoo.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been filed electronically. Notice of this filing will be sent by operation of the courts electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Courts electronic filing system.

Gerald David Webber
947 Old Hen Valley Road
Oliver Springs, TN 37840

Samuel Franklin
140 Riverside Drive
Jacksboro, TN 37757

Shayne Green
P.O. Box 53
Jacksboro, TN 37757

William Carroll
390 E. Chapman Rd. #R
LaFollette, TN 37766

Dated this _____ day of April, 2012.

BY: /s/Kristie Anderson